



National Aeronautics and  
Space Administration

**Principal Center for Regulatory Risk Analysis and  
Communication**

**REGULATORY SUMMARY**

**Emergency Final Rule  
Temporary Solid Waste Facilities Permits**

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## Introduction

The California Integrated Waste Management Board published the final rule for the [Temporary Solid Waste Facilities Permits](#) on 21 March 2008 (14 *California Code of Regulations* [CCR] 18218, 18218.1, 18218.2, 18218.3, 18218.4, 18218.5, 18218.6, 18218.7, and 18218.8, 18218.9). The rule, effective 10 March 2008 until 1 July 2010, regulates previously unregulated recycling, solid waste handling, and composting activities. These emergency regulations create a temporary solid waste facility operating permit and specify the conditions for and information required of applicants who seek to operate such facilities pending receipt of permanent operating permits.

## Summary of the Final Rule

This final rule applies to a solid waste transfer or processing station or a composting facility that has been in continuous operation since 1 January 2007 or earlier and for which a solid waste facilities permit issued pursuant to the Act and Board regulations is required as of 1 January 2008, but which has not yet been issued by the enforcement agency having jurisdiction. A *Solid Waste Transfer or Processing Station* is defined for this rule as a [Transfer/Processing Facility](#) that receives 15 tons or more of solid waste or 200 tons or more of construction and demolition debris [defined at 14 CCR 17381(e)] or construction and demolition wood mulch [defined at 14 CCR 17381(f)] per operating day for the purpose of storing, handling, or processing some or all of the material before transferring the material to another solid waste operation or facility. Solid waste transfer or processing station does not include activities excluded from regulation in 14 CCR 17402.5. A *Composting Facility* is defined for this rule as a [Compostable Material Handling Facility](#) that processes, transfers, or stores compostable material. Handling includes composting, screening, chipping and grinding, and storage activities related to the production of compost, compost feedstocks, and chipped and ground materials, and as more fully described at 14 CCR 17852(a)(12). Composting facility does not include activities excluded from regulation in 14 CCR 17855.

Each affected source must file a complete and correct application for a temporary permit on or before 9 May 2008. The application must describe the solid waste handling and composting activities to be authorized under the temporary permit. The application also must contain sufficient verifiable information regarding the solid waste handling and composting activities at

the facility during 2007 to satisfy the enforcement agency that the future activities proposed under the temporary permit are substantially identical to those conducted at the facility during calendar year 2007.

The application for a temporary permit for a transfer and processing facility must contain the following:

1. [Application For Solid Waste Facilities Permit/Waste Discharge Requirements Form](#) (27 CCR, Division 2, CIWMB E-1-77, Version 8-04, Appendix 1). The applicant must specify on the application that it is intended for a temporary permit.
2. Name(s) of the operator and owner.
3. Schematic drawing of the facility, including buildings and other structures, showing layout and general dimensions of the operations area, including, but not limited to, unloading, storage, loading, and parking areas.
4. Descriptive statement of the manner in which activities currently are conducted at the facility and proposed to be conducted under the temporary permit.
5. Days and hours that the facility operates. If the hours of waste receipt differ from the hours of material processing, each set of hours must be stated. For facilities with continuous operations, indicate the start of the operating day for purpose of calculating amount of waste received per operating day. The operator also may indicate whether or not, and when, other activities, such as routine maintenance will take place, if those activities will occur at times other than those indicated above.
6. Total acreage contained within the operating area and total area that is to be included within the solid waste facilities permit.
7. Facility design capacity including the assumptions, methods, and calculations performed to determine the total capacity.
8. Information showing the types and the daily quantities of solid waste received during 2007. If tonnage was calculated from records stated in cubic yards, include the conversion factor used. The information submitted must be in the form of verifiable business records, such as certified scale records, weight tags, receipts, bills of sale, disposal receipts, and other records acceptable to the enforcement agency. The information must include records (if available) or good faith estimates (if records are not available) of the daily quantities of "putrescible wastes" and "residuals" (as defined in subdivision (a)(21) of Section 17402 and in subdivision (b)(1) of Section 17402.5 of 14 CCR, respectively) during calendar year 2007.
9. Description of the methods used by the facility to comply with each applicable state minimum standard as described in 14 CCR 18218.4.
10. Volume of quench or process water and the planned method of treatment, and disposal of any wastewater.
11. Description of provisions to handle unusual peak loading.
12. Description of transfer, recovery, and processing equipment, including classification, capacity, and the number of units.
13. Method for final disposal of the solid waste.

14. Method for the storage and removal of salvaged material.
15. Resumes of manager of the organization that will operate the facility.
16. Fire Prevention, Control and Mitigation Plan.
17. The operator must certify whether the facility is included in the Nondisposal Facility Element of the applicable Countywide Solid Waste Management Plan. If not, the operator must acknowledge that the facility must be included in such a plan before a permanent solid waste facilities permit will be issued.
18. The owner and operator must each certify under penalty of perjury that the information provided is true and accurate to the best of their knowledge and belief.
19. Evidence that a copy of the completed application was provided to the director of the local agency that oversees local land use planning for the jurisdiction in which the facility is located.
20. List of all public hearings and other meetings open to the public that have been held or copies of notices distributed that are applicable to the proposed solid waste facilities permit action.

The application for a temporary permit for a composting facility must contain the following:

1. [Application For Solid Waste Facilities Permit/Waste Discharge Requirements Form](#) (27 CCR, Division 2, CIWMB E-1-77, Version 8-04, Appendix 1). The applicant must specify on the application that it is intended for a temporary registration permit.
2. Name(s) of the operator and owner.
3. A descriptive statement of the operations currently conducted at the facility and proposed to be conducted under the temporary permit.
4. A schematic drawing of the facility, including any buildings and other structures, showing layout and general dimensions of all processes used in the handling and processing of materials including, but not limited to, unloading, storage, processing, parking, and loading areas.
5. A description of methods used to control leachate, litter, odors, dust, rodents, and insects.
6. A description of the emergency provisions for equipment breakdown or power failure.
7. A description of the storage capacity and maximum and average length of time compostable materials will be stored at the facility.
8. A description of compostable materials handling equipment used at the facility including type, capacity, and number of units.
9. Information demonstrating the operations of the facility during 2007 in cubic yards, including without limitation compostable materials and feedstock received, processed, and stored on the site and finished materials stored on the site. The information submitted must be in the form of verifiable business records, such as certified scale records, weight tags, receipts, bills of sale, disposal receipts, and other records acceptable to the enforcement agency.
10. A description of provisions to handle unusual peak loadings.

11. A description of the method for storage and final disposal of nonrecoverable or nonmarketable residues.
12. A description of the water supplies for process water required.
13. Identification of person(s) responsible for oversight of facility operations.
14. An Odor Impact Minimization Plan pursuant to 14 CCR 17863.4.
15. Fire Prevention, Control and Mitigation Plan.
16. The operator must certify whether the facility is included in the Nondisposal Facility Element of the applicable Countywide Solid Waste Management Plan. If not, the operator must acknowledge that the facility must be included in such plan before a permanent solid waste facilities permit will be issued.
17. The owner and operator must each certify under penalty of perjury that the information provided is true and accurate to the best of their knowledge and belief.
18. Evidence that a copy of the completed application was provided to the director of the local agency that oversees local use planning for the jurisdiction in which the facility is located.
19. List of all public hearings and other meetings open to the public that have been held or copies of notices distributed that are applicable to the proposed solid waste facilities permit action.

A [Temporary Permit form](#) has been developed. This form must be fully and accurately completed by the enforcement agency, which must sign and issue the permit only after it has received written notice of concurrence in the proposed permit by the Executive Director of the Board. An enforcement agency may contact California Integrated Waste Management Board (CIWMB) Permitting and Local Enforcement Agency (LEA) Support Division for assistance in completing this form. The Temporary Permit form should look like the following:

<u>State of California</u>	<u>California Integrated Waste Management Board</u>
<u>TEMPORARY SOLID WASTE FACILITIES PERMIT</u>	
<u>Name of Facility:</u>	
<u>Type of Facility:    Solid Waste Transfer or Processing Station _____</u> <u>                                 Composting Facility _____</u>	
<u>Name and Address of Enforcement Agency:</u>	
<u>Signature of Local Enforcement Agency Approving Officer:</u> <u>Date of Issuance:</u>  <u>Printed Name and Title of Approving Officer:</u>	
<u>This permit has been issued by the enforcement agency in accordance with Article 3.1.1, Chapter 5.</u>	

Division 7, Title 14, of the California Code of Regulations. This permit incorporates by reference, as terms and conditions of the permit, all minimum standards applicable to it, as set forth in Division 7, Title 14, of the California Code of Regulations. These minimum standards include, but are not limited to the following:

The facility for which this permit has been issued may only be operated in accordance with the description provided in the attached application package, date \_\_\_\_\_, which is hereby incorporated by reference. This permit shall expire on the effective date of a solid waste facilities permit issued to the operator of the facility or June 30, 2010, whichever comes first.

## Applicability to NASA

This emergency final rule will apply to solid waste transfer or processing stations or composting facilities located onsite at facilities, such as NASA Centers, located in California.

NASA Centers are advised to review operations to identify potentially affected solid waste transfer or processing stations or composting facilities. If operations requiring a permit are identified, the temporary permit application must be completed by 9 May 2008. The operation then must either obtain a permanent solid waste facilities permit or cease those operations by 30 June 2010, when all temporary permits expire.